

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROBERT DEREK LURCH, JR.,

16-CV-2517

Plaintiff,

NOTICE OF MOTION

-against-

FRANCE CHAPUT, M.D., MARIA D. MARQUEZ, R.N.,
CITY OF NEW YORK, NYC HEALTH & HOSPITALS
CORPORATION,

Defendants.

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PLEASE TAKE NOTICE that, upon the annexed Declaration of DOREEN DUFFICY sworn to on the 6th day of April, 2017, along with the Memorandum of Law and accompanying exhibits, and upon all prior pleadings and proceedings heretofore had herein, defendant GUILAN ZHOU, M.D. s/h/a GIN-LAN CHOW will move this Court at United States District Court, Southern District of New York at 500 Pearl Street, New York, New York 10007, at a date to be determined by the Court, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing the Plaintiff's Third Amended Complaint for failure to state a cause of action against the Defendants; and granting Defendants such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, all answering affidavits, affirmations and papers must be served in according to the provisions of Fed. R. Civ. P. 56(c).

Dated: New York, New York
April 6, 2017

Yours, etc.,

HEIDELL, PITTONI, MURPHY & BACH, LLP

By: 

DOREEN DUFFICY

Attorneys for Defendants

NEW YORK CITY HEALTH AND HOSPITALS
CORPORATION, FRANCE CHAPUT, M.D.,
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